

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Arturo Yeremis,

Plaintiff,

—v—

Amerit Fleet Solutions, *et al.*,

Defendants.

20-cv-5086 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

Plaintiff has moved for an order compelling his former employer Defendant Amerit Fleet Solutions to provide him access to a locker so that he “can retrieve his personal property, including tools to obtain employment elsewhere.” Dkt. No. 6 at 3. This application is apparently *ex parte*—there is no indication that Defendants have been served notice of this motion or of this action. Plaintiff’s motion is made pursuant to Rule 37. But Rule 37 relates to discovery and Plaintiff’s motion seeks access to the locker not for discovery purposes but so he can obtain new employment. The motion is therefore improper.

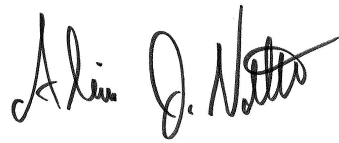
To the extent that Plaintiff’s motion was intended to be an application for a temporary restraining order, it still fails, because, *inter alia*, there is no basis for *ex parte* relief under Rule 65.

Accordingly, Plaintiff’s motion is denied.

This resolves Dkt. No. 6.

SO ORDERED.

Dated: July 29, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", with a long, sweeping horizontal stroke extending to the right.

ALISON J. NATHAN
United States District Judge